

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PROTECT DEMOCRACY PROJECT, INC.;)
BRENNAN CENTER FOR JUSTICE AT)
NEW YORK UNIVERSITY SCHOOL OF LAW;)
MICHAEL F. CROWLEY; and)
BENJAMIN WITTES,)

Plaintiffs,)

v.)

C.A. No. 18-10874-DPW

U.S. DEPARTMENT OF JUSTICE;)
DEPARTMENT OF HOMELAND SECURITY;)
WILLIAM PELHAM BARR in His Official)
Capacity as Attorney General of the United)
States; and KEVIN K. McALEENAN,)
In his Official Capacity as Acting Secretary of)
the Department of Homeland Security,)

Defendants.)

DEFENDANTS' MOTION TO EXTEND TIME
IN WHICH TO REPLY TO PLAINTIFFS' OPPOSITION
TO DEFENDANTS' MOTION TO DISMISS
(ASSENTED TO)

Defendants, U.S. Department of Justice, Department of Homeland Security, William Pelham Barr in his official capacity as Attorney General of the United States and Kevin K. McAleenan, in his official capacity as Acting Secretary of the U.S. Department of Homeland Security ("Defendants"), by their attorney, Andrew E. Lelling, United States Attorney for the District of Massachusetts, respectfully moves the Court for an additional five (5) business days – until October 21, 2019 – in which to file their reply to Plaintiffs' Opposition to Defendants' Motion to Dismiss.

As grounds for this motion, Defendants state that their reply is currently due on October 11, 2019. However, due to the press of other business, undersigned counsel was unable to

complete the Reply within the time required in order to obtain proper internal reviews within the government. Defendants are confident that an additional five business dates, until October 21, 2019, will be sufficient time to finalize and file the reply. Defendants also note that the filing of the Reply is the final event scheduled by the Court pursuant to its Scheduling Order of March 8, 2019 (ECF No. 31) and the requested extension will therefore not affect any other dates currently set by the Court for this action. In further support, Defendants state that Plaintiffs have assented to this Motion.

WHEREFORE, Defendants request that the Court grant their motion, and order that Defendants' Reply to Plaintiffs' Opposition to Defendants' Motion to Dismiss be filed no later than October 21, 2019.

Respectfully submitted,

ANDREW E. LELLING,
United States Attorney

By: /s/ Susan M. Poswistilo
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Date: October 10, 2019

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Susan M. Poswistilo
Susan M. Poswistilo

Date: October 10, 2019

CERTIFICATION

I certify that I have conferred with counsel for plaintiffs and counsel has assented to this motion.

Date: October 10, 2019

/s/ Susan M. Poswistilo
Susan M. Poswistilo